

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ICU MEDICAL, INC.,

Plaintiff,

v.

RYMED TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 07-468-LPS

**STIPULATION AND JOINT  
REQUEST FOR 60 DAY STAY OF  
PROCEEDINGS**

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Plaintiff ICU Medical, Inc. ("ICU") and Defendant Rymed Technologies, Inc.

("Rymed") through their undersigned counsel agree and stipulate as follows:

1. On September 30, 2013 the Court issued its Order ruling on the issues submitted on the trial of Rymed's prosecution history estoppel defense. (D.I. 571.) That order directed the parties to submit by October 15, 2013 a joint status request "to include their proposal(s) for the timing and procedures leading to resolution of any remaining issues (*Id.* at

2). On Friday, October 11, 2013, Rymed's counsel, on behalf of the parties, telephonically requested and the Court's clerk granted a two week extension on the time to file a joint status report.

2. The parties at this time jointly request that this matter and any filing dates and deadlines, including but not limited to briefing deadlines otherwise applicable to ICU's Renewed Motion for Judgment as a Matter of Law or, in the Alternative, Motion for New Trial (D.I. 573), be stayed for at least 60 days. The grounds for this request are as follows: In August of 2013, Rymed made an assignment of its assets to a third party, RTI Transactions, LLC ("RTI"). The parties believe that a 60 day period in which to evaluate the legal and

practical impact of this transaction upon this proceeding and “the timing and procedures leading to the resolution of any remaining issues.” would promote judicial economy.

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*Attorneys for Defendant RyMed Technologies, Inc.*

Dated: October 28, 2013

IT IS SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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U.S.D.J.

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